

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

FILED

OCT 1 2024

UNITED STATES OF AMERICA,

v.

DAVID WALTER MCCAULEY,

Defendant.

Criminal No.

Violations:

U.S. DISTRICT COURT: WAND
WHEELING, WV 26003

2:24-cr-39

18 U.S.C. § 2251(a)
18 U.S.C. § 2251(e)
18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 2252A(b)(2)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Production of Child Pornography)

On or about July 23, 2022 through July 31, 2022, in Upshur County within the Northern District of West Virginia, the defendant, **DAVID WALTER MCCAULEY**, did knowingly employ use, induce, entice, and coerce, John Doe – 1, a 17 year-old boy at that time, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was intended to be transported in interstate commerce, and such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Sections 2251(a) and (e).

COUNT TWO

(Production of Child Pornography)

On or about July 31, 2022, in Upshur County within the Northern District of West Virginia, the defendant, **DAVID WALTER MCCAULEY**, did knowingly employ use, induce, entice, and coerce, John Doe – 1, a 17 year-old boy at that time, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was intended to be transported in interstate commerce, and such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in interstate or foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Sections 2251(a) and (e).

COUNT THREE

(Possession of Child Pornography)

On or about September 30, 2022, in Upshur County, within the Northern District of West Virginia, defendant **DAVID WALTER MCCAULEY**, did knowingly possess an image of child pornography, as defined in Title 18, United States Code Section 2256(8), which had been transported in interstate and foreign commerce by computer, all in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2).

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FORFEITURE ALLEGATION

(Sexual Exploitation of Children)

Pursuant to Title 18, United States Code, Section 2253, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of Chapter 110 of Title 18, any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter, any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, and any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from a violation of Title 18, United States Code, Section 2252A, including the following item seized from the defendant:

1. HP Pavilion 27 All-in-one PC, Model: 27-d0080, S/N: 8C00420699;
2. Black Apple iPhone SE(A2275); IMEI 356476103184406;
3. White/gold Apple iPhone 6S(A1633); IMEI 355683070708726;
4. Printed photographs (2) of nude minor males; and
5. DVD with handwritten label “#15” in marker.

A True Bill,

/s/
Grand Jury Foreperson

/s/
WILLIAM IHLENFELD
United States Attorney

Kimberley D. Crockett
Assistant United States Attorney

Morgan McKee
Assistant United States Attorney